

November 25, 2002

TO: Interested Parties / Applicant

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision - Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

November 25, 2002

Mr. William H. Loudin, President
Mishawaka Concrete and Asphalt Recycling, Inc.
2010 Went Avenue
Mishawaka, IN 46545

Re: 141-16462-00156
Transfer of Ownership - Name Change
First Administrative Amendment to
Source Specific Operation Status
S 141-7597-00156

Dear Mr. Loudin:

On November 4, 2002, the Office of Air Quality (OAQ) received a request from Mishawaka Concrete and Asphalt Recycling, L.L.C., to transfer ownership and change the name from Shrock Aggregate Company, Inc., located at 2950 Lathrop, South Bend, Indiana to Concrete and Asphalt Recycling, L.L.C., at the same location. All conditions and limitations of this approval shall remain unchanged and in effect.

The application for the crushed stone processing plant, received on December 13, 1996, has been reviewed. Based on the data submitted and the provisions in Section 1 of 326 IAC 2-1, it has been determined that said crushed stone processing plant to be located at 2950 Lathrop in South Bend, Indiana, has met the criteria required to obtain a Source Specific Operating Agreement.

Pursuant to IC 4-21.5-3-5(a) and (b), approval of this Source Specific Operating Agreement shall not be effective until fifteen (15) days from the date of this letter.

Pursuant to 326 IAC 2-9, the facilities and processes of this source shall be granted the Source Specific Operating Agreement provided that:

1. That the particulate matter (PM) emissions from this source do not exceed twenty-five (25) tons per year, including fugitive emissions.
2. That the source annual throughput shall not exceed four hundred thousand (400,000) tons per year.
3. That the crushed stone processing operation shall have no more than four (4) crushers, seven (7) screens, and one (1) conveying operation.
4. That the owner or operator shall maintain annual throughput records at the site on a calendar year basis. These records shall be maintained for a minimum period of five (5) years, and made available upon request of the Office of Air Quality (OAQ).
5. That the crushing, screening and conveying operations shall be equipped with dust collectors, unless a wet or continuous wet suppression system is used to comply with conditions 7 and 8 of this operating agreement.

Enclosures

FNPERAM.wpd 8/21/02

6. That all equipment that generate particulate matter (PM) emissions, and any emission control devices, shall be operated and maintained at all times the plant is in operation, in such a manner, as to meet all of the requirements of this Source Specific Operating Agreement.
7. That the visible emissions from the screening and conveying operation shall not exceed an average of ten percent (10%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9.
8. That the visible emissions from the crushing operation shall not exceed an average of fifteen percent (15%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. Compliance with this limitation shall be determined by 40 CFR 60, Appendix A, Method 9.
9. That the fugitive particulate matter (PM) emissions shall be controlled by applying water on storage piles and unpaved roadways on an as needed basis, such that the following visible emission conditions are met:
 - (a) The visible emissions from any storage pile shall not exceed twenty percent (20%) in twenty-four (24) consecutive readings in a six (6) minute period. This limitation shall not apply during periods when application of control measures are ineffective or unreasonable due to sustained high wind speeds. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9, except that the opacity shall be observed at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.
 - (b) The visible emissions from unpaved roadways shall not exceed an average instantaneous opacity of twenty percent (20%). Average instantaneous opacity shall be the average of twelve (12) instantaneous opacity readings, taken for four (4) vehicle passes, consisting of three (3) opacity readings for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:
 - (i) The first reading shall be taken at the time of emission generation.
 - (ii) The second reading shall be taken five (5) seconds after the first.
 - (iii) The third reading shall be taken five (5) seconds after the second reading, or ten (10) seconds after the first reading.

The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand approximately fifteen (15) feet from the plume and at approximately right angles to the plume. Each reading shall be taken approximately four (4) feet above the surface of the unpaved roadway.
10. That the source shall provide an annual notice to the commissioner, stating that the source is in operation, and certifying that its operations are in compliance with this Source Specific Operating Agreement. This report shall be submitted to:

**Compliance Data Section
Office of Air Quality
100 North Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206-6015**

no later than January 30 of each year, in the format attached.

11. That any exceedance of any requirement contained in this operating agreement shall be reported, in writing, within one (1) week of its occurrence.
12. That pursuant to 326 IAC 2-9-1, the owner or operator of the facilities and processes of this source shall comply with all applicable Indiana Administrative Code 326 state rules.

The owner or operator is hereby notified that this operating agreement does not relieve the permittee of the responsibility to comply with the provisions of any applicable New Source Performance Standards (NSPS), 40 CFR Part 60, or National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61.

Any change or modification which will alter operations in such a way that it will no longer comply with the applicable restrictions and conditions of this operating agreement, must obtain the appropriate approval from the Office of Air Quality (OAQ) under 326 IAC 2-1, IAC 2-2, 326 IAC 2-3, 326 IAC 2-7, and 326 IAC 2-8. before such change may occur.

If you have any questions concerning this amendment please contact Janet Mobley at 317/232-8369 or 1-800- 451-6027 press 0 and ask for extension 2-8369.

Sincerely,

Original signed by Paul Dubenetzky
Paul Dubenetzky, Chief
Permit Branch
Office of Air Quality

PD/jm

cc: File - St. Joseph County
St. Joseph County Health Department
Air Compliance Section - Rick Reynolds
IDEM Northern Regional Office
Compliance Data Section - Karen Ampil
Permit Review II - Janet Mobley

Source Specific Operating Agreement

This form should be used to comply with the notification requirements under 326 IAC 2-9.

Company Name:	Concrete and Asphalt Recycling, L.L.C.
Address:	2950 Lathrop
City:	South Bend, Indiana 46628
Contact Person:	Mr. William H. Loudin
Phone #:	574-237-1928
SSOA #:	S 141-7597-00156

I hereby certify that Concrete and Asphalt Recycling, L.L.C. is still in operation and is in compliance with the requirements of Source Specific Operating Agreement (SSOA) S 141-7597-00516.

Name (typed):
Title:
Signature:
Date: